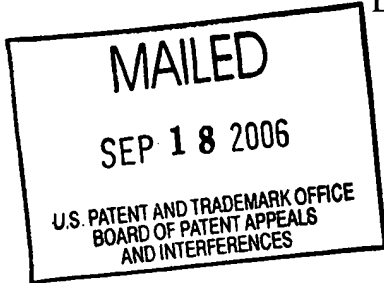


UNITED STATES PATENT AND TRADEMARK OFFICE



BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte LINDEN MINNICK

Application No. 09/965,579

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on August 11, 2006. A review of the application has determined that the application is not ready for docketing as an appeal. Accordingly, the application is herewith returned to the Examiner. The matters requiring attention prior to docketing are identified below:

The content under the heading "**SUMMARY OF CLAIMED SUBJECT MATTER**" contained in the Appeal Brief filed on March 3, 2006 does not provide a sufficient summary of the independent claims involved in the appeal, which shall refer to the specification by page and line number, and to the drawing, if any, by reference characters. For each independent claim involved in the appeal and for each dependent claim

argued separately under the provisions of paragraph (c)(1)(vii) of this section. [See 37 CFR § 41.37(c)(1)(v).]

Further review of the Appeal Brief received on March 3, 2006 reveals that the following required sections are missing:

(1) “**EVIDENCE APPENDIX**,” as set forth in 37 CFR § 41.37(c)(1)(ix); and

(2) “**RELATED PROCEEDINGS APPENDIX**” as set forth in 37 CFR § 41.37(c)(1)(x).

A Supplemental Appeal Brief that is in compliance with 37 CFR § 41.37(c)(1)(ix) and 37 CFR § 41.37(c)(1)(x) is required.


Accordingly it is

ORDERED that the application is returned to the Examiner:

- to have Appellant submit a revised Appeal Brief incorporating the required content as specified in 37 CFR § 41.37(c)(1)(v) for the “**SUMMARY OF CLAIMED SUBJECT MATTER**,” section contained in the Appeal Brief received March 3, 2006;
- to have the Appellant submit the missing appendices not present in the Appeal Brief as noted above as required by 37 CFR § 41.37(c)(1)(ix) and 37 CFR § 41.37(c)(1)(x); and

- for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES



DALE M. SHAW
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